

ASSISTED REPRODUCTION AND SURROGACY PARENTAGE ACT (EXCERPT)
Act 24 of 2024

***** 722.1803.new *THIS NEW SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE* *****

722.1803.new Adjudication of parentage; proceedings; burden of proof.

Sec. 203. (1) An individual who is an intended parent or the individual who gave birth to the child may bring a proceeding to adjudicate parentage for a judgment of parentage in the family division of the circuit court. If the court determines the individual is a parent under this act, either because the individual gave birth to the child or the individual is a consenting intended parent under section 202, the court shall adjudicate the individual to be a parent of the child.

(2) The individual who will give or who gave birth or an individual who is or claims to be a parent under this section may commence an action before or after the birth of a child to obtain a judgment to declare that the intended parent or parents are the parent or parents of the resulting child immediately on birth of the child and order that parental rights and responsibilities vest exclusively in the intended parent or parents immediately on birth of the child. A certificate of live birth of a child must comply with this act and must be established as provided under part 28 of the public health code, 1978 PA 368, MCL 333.2801 to 333.2899.

(3) On request of a party and consistent with law of this state other than this act, the court in an action under this act may order the name of the child changed. If the final judgment is at variance with the child's birth certificate, the court must order the state registrar to issue an amended birth certificate.

(4) A judgment issued before the birth of the resulting child does not take effect until the birth of the resulting child. This subsection must not be construed to limit the court's authority to issue other orders under other laws of this state.

(5) This state, the department, and the hospital where the child is or is expected to be born are not necessary parties to an action under this section.

(6) The burden of proof in an action under this section is by a preponderance of the evidence.

History: 2024, Act 24, Eff. (sine die).